

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ALEJANDRA GRADO,

Plaintiff,

v.

No. 2:23-cv-211 GBW/KRS

CLEAR DIAMOND, INC., and  
ROBERT HOBSON,

Defendants.

**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court sua sponte. On March 10, 2023, Defendants filed a Notice of Removal, removing this case from State Court to this Court and attaching Plaintiff's First Amended Complaint and records from the State Court docket. (Doc. 1). Defendants filed this document under seal without explanation as to why it was sealed. "Courts have long recognized a common-law right of access to judicial records." *Mann v. Boatright*, 477 F.3d 1140, 1149 (10th Cir. 2007). This right is not absolute and "can be rebutted if countervailing interests heavily outweigh the public interests in access." *Id.* "The party seeking to overcome the presumption bears the burden of showing some significant interest that outweighs the presumption." *Id.* That party "must articulate a real and substantial interest that justifies depriving the public of access to the records that inform our decision-making process." *JetAway Aviation, LLC v. Bd. of Cnty. Com'rs of Cnty. of Montrose*, 754 F.3d 824, 826 (10th Cir. 2014).

Additionally, parties seeking to file a document under seal are required to seek leave of the Court before doing so. See CM/ECF Adm. Proc. Manual para. 9(h)(1) & (2) (leave of Court required to file documents under seal except under Fed. R. Civ. P. 5.2(F), Fed. R. Crim. P. 49.1,

or statute). Here, Defendants filed their Notice of Removal under seal without seeking permission to do so.

IT IS THEREFORE ORDERED that within 10 days of this Order, Defendants shall show cause in writing why their Notice of Removal, (Doc. 1), should not be unsealed.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kevin Sweazea", is positioned above a horizontal line.

KEVIN R. SWEAZEA

UNITED STATES MAGISTRATE JUDGE